

Technical Paper

County of Grey Transportation Master Plan

Paper 3h – Connecting Links

1.0 Introduction

A primary objective of the County road network is to provide connectivity within the County as well as connecting the County to its neighbours, thus facilitating the flow of traffic to, from and through the County. This connectivity is vital to the economic development and vitality of the County.

County roads are intended to serve increased traffic volumes, at higher travel speeds, with reduced interruption. With respect to connectivity, the road rationalization process identified the following principles in terms of County road characteristics:

- County roads are primarily transportation corridors and thus should provide a high degree of connectivity and a good level of service to the road users; and
- County roads should not extend through downtown areas of urban centres where access to abutting development is the primary need and where significant pedestrian activities are present (both of which detract from the primary function of the road).

These principles can become compromised where a County road travels through a built-up or urban area. These sections of County road travelling through the built-up/urban area typically experience an increase in traffic volumes when compared to the sections of road leading into, and out of, the built-up/urban area. The increase in volume can be directly attributed to the influx of local traffic accessing the road within the boundaries of the urban area. The County road begins to serve a local purpose as a greater proportion of the traffic volume is local traffic (ie. in-town traffic) rather than County traffic (ie. through traffic). The challenge becomes how to manage the road so that it can serve the local needs as a “Main Street” to the built-up area while maintaining an appropriate level of connectivity as part of the County road network.

2.0 County Need vs Local Need

While some County road sections travelling through built-up areas warrant the County road status, they are likely to also serve a local function given their role in providing access to businesses and amenities in downtown areas. Often these roads are targeted for beautification upgrades as a means of attracting and fostering economic growth in the “downtown” core. As such, the access they provide is not solely focused on the automobile but also for pedestrians and cyclists.

In order to preserve these areas as vital places, a balance between the competing needs (ie. pedestrian vs car, local vs County) must be reached. By maintaining these downtown roads as a municipal facility, the through route function must be de-emphasized and the function of access (by multiple modes) must be encouraged. For a municipality to properly develop its “Main Street”, it makes sense that it should have control over this important corridor with respect to access, sidewalks, traffic signals, pedestrian measures, signage, etc. Currently, developers need to address both County and local standards and

requirements which can result in an inefficient use of resources and becomes for onerous, in addition to introducing conflicting and completing objectives. With the local municipality assuming control of these “Main Street” road sections within, the development process becomes more streamlined and less cumbersome for all stakeholders.

2.1 MTO Connecting Links

The MTO initiated the Connecting Link program whereby a municipality could apply to have a local road, which connected a Provincial highway through its urban centre, designated as a connecting link. A connecting link was simply a section of the local road which served a local purpose but also served a role in connecting the Provincial highway system at the boundaries of the urban area (consider Highways 6, 10, 21 and 26 which pass through a number of built-up areas within Grey County). If granted this designation by the MTO, the municipality was then eligible for financial support from the Province with respect to the maintenance and construction needs of the connecting link. The connecting link agreements defined the terms of cost sharing with respect to construction, maintenance and repair costs. While the section of road designated as a connecting link remained under the jurisdiction of the municipality and could be modified to suit local needs, some improvements (particularly those related construction) required the approval of the MTO. The overall aim of the program was to aid the local municipalities in the maintenance and upkeep of local roads which also served a significant role in the connectivity of the Provincial highway system, recognizing that a large portion of the traffic was provincial.

A summary of the initial MTO connecting link program is provided below (recognizing that changes were made to the program over the years and was ultimately cancelled in 2013).

2.1.1 Criteria for Connecting Link Designation

The *Public Transportation & Highway Act, R.S.O. 1990* defines a connecting link as a connection “between parts of the King’s Highway or as an extension of the King’s Highway.” From this definition, the MTO provided the following interpretation of what it considers a connecting link to be:

- 1) *“A route that connects the ends of a highway by the most direct, practical means from one municipal boundary to the other.*
- 2) *A route that connects the end of a highway to another highway entering a municipality.*
- 3) *The extension of a highway from a municipal boundary to the Central Business District of the municipality or to connect with a Provincial or International boundary.”*

(MTO King’s Highway Connecting Links, 1974)

Beyond the noted interpretation of what a connecting link was considered to be, no further criteria is provided as to what the MTO considered in the designation decision process.

2.1.2 Cost Sharing

The MTO provided financial assistance to the municipalities to support the maintenance and construction of the designated connecting links. To determine the level of financial assistance to be provided to any one municipality, the MTO established a sliding scale based on population. The contribution rates were set as follows:

- 75% towards eligible construction costs in cities and separated towns;
- 90% towards eligible construction and maintenance costs in towns, villages and townships having a population greater than 2,500; and
- 100% towards eligible construction and maintenance costs in towns, villages and townships having a population of 2,500 or less.

2.1.3 Eligible Cost Sharing Items

Although a cost sharing structure was established, not all connecting link costs were considered eligible for funding by the Ministry under the connecting link program. **First and foremost, the MTO would only pursue or take on road works on a connecting link if such works were in support of, or dictated by, highway related traffic needs (ie. through traffic). Works that were deemed to be driven by local development or required to support other local needs were the sole responsibility of the local municipality.** For works deemed necessary due to highway related traffic needs, the MTO identified a number of maintenance/construction related items and further clarified which costs were eligible for coverage. It is noted that assistance with maintenance costs was only provided in towns, villages and townships. Cities and separated towns were responsible for 100% of the maintenance of the connecting links. A sample of the maintenance related items is provided in Table 1 (exhaustive cost sharing details are available in the attached King's Highway Connecting Link agreement and document).

Table 1: Cost Sharing Eligibility – Maintenance Items¹

Item	Cost Sharing Eligibility
Bridges	costs shareable to the percentage noted in the agreement
Culverts underneath link	costs shareable to the percentage noted in the agreement
all others	100% to the municipality
Shoulders	100% to the municipality
Snow plowing	costs shareable to the percentage noted in the agreement
Snow removal	50% Ministry; 50% municipality
Storm Sewers & Structures	100% to the municipality

¹ Assistance with maintenance costs is only available to towns, villages and townships

With respect to construction costs, the MTO would share the costs of items such as:

- widening, altering or diverting the highway;
- constructing bridges, culverts or other structures (other than sanitary sewers) incidental to the construction of the highway;

- grading the highway, including shoulders and roadside ditches (the ongoing maintenance of such was 100% responsibility of the municipality);
- constructing curbs, gutters, and catch basins, and constructing sidewalks where removal and relocation of existing sidewalks is rendered necessary by the construction of the roadway; and
- constructing storm sewers and drains of a nature and capacity appropriate to the actual requirements of the highway itself.

The municipality was responsible for 100% of the construction costs for sanitary sewers, sidewalks, street lights, light standards or other works deemed special by MTO. The connecting link agreements also noted that the municipality was 100% responsible for the acquisition of all land required for the construction of the connecting link and to negotiate and complete settlement with the owners.

2.1.4 Termination of Connecting Link Funding Program

The MTO connecting link program underwent various changes over the years. The provision of maintenance funds to towns, villages and townships was eventually discontinued and the program focused solely on the construction related elements of connecting links. The entire funding program was ultimately terminated in the spring of 2013 with funds being rerouted into the Municipal Infrastructure Investment Initiative (MIII). While the municipality is now responsible for 100% of all costs (save what can be obtained through the MIII program), the connecting link designations remain in place and the MTO maintains responsibility for connecting link traffic related by-law approvals and traffic signal approvals.

3.0 Grey County Connecting Link Program

3.1 Objective

The primary objective of introducing a connecting link program for Grey County roads is to ensure that the interests of both the County and the municipality are reconciled in relation to the role and function of the County roads which enter built-up or urban areas. For the County, the continuity and connectivity of the County road system is vital. For the municipalities, access to the downtown area (often a hub of amenities and economic activity) by motorist, pedestrians and cyclists alike is a priority.

3.1.1 County Interests

As noted, the County's main priority is to ensure that the continuity and connectivity of the County road network is not compromised. Through a connecting link agreement, the County would relinquish ownership of the road section but the municipality would require approval from the County regarding any construction plans for the connecting link. Thus the County would continue to have a degree of high level oversight going forward that would ensure that the connecting link meets the needs of the County road network in terms of connectivity and continuity.

3.1.2 Municipal Interests

It is often the case where a County road will form the "Main Street" of the built-up/urban area through which it passes. The "Main Street", as previously noted, plays an important role in the vitality and

economic strength of the respective settlement area it serves. Thus the main priority for any given municipality with respect to its “Main Street” is to ensure that it promotes economic growth and activity. This includes providing access to businesses and catering to pedestrians and cyclists as well as motorists. Under a connecting link program, the municipalities would assume ownership of these important road sections and, through control of their own corridor development policy, would be able to modify the road to suit the local need. In particular, speed limits, pedestrian facilities, access control and right of way requirements would be the sole responsibility of the municipality with County input/approval no longer required (this would also be a benefit to the County who would no longer be burdened with the administrative details of such requests). In addition, all planning and development policies and procedures of the local municipality would apply to the abutting lands, as opposed to the often more stringent and controlled policies of the County. This would ensure that each time development plans are brought forward, which may be conducive to the development of a downtown but yet do not satisfy the County requirements (eg. reduced setbacks), that policy exceptions from the County would not be required. All such matters would be addressed at the municipal level and developers would no longer need to address both municipal and County standards

It is noted that the municipality, although having ownership of the connecting link, would not have the authority to alter the connecting link in such a way that would disrupt or negate the interests and objectives of the County road network (ie. closing the road segment for exclusive pedestrian use, altering traffic flow to one direction, etc.).

3.2 Connecting Link Definition

For the purposes of Grey County and its municipalities, it is suggested that a connecting link be considered as a connection between two ends of a Grey County road, or the extension of a Grey County road, whereby the connecting segment or extension travels through a built-up or urban area.

This definition is intended to serve as an overarching or high level description to which other criteria can be applied to further determine the suitability of a road section for designation as a connecting link.

3.3 Connecting Link Criteria

While it is not necessary that the connecting link designation process apply the same rigorous analysis as employed in the road rationalization process, it is still considered necessary to consider other criteria which evaluate the candidate road segment with respect to its existing role in the road network (at both the local and County level). Ultimately, this additional evaluation is intended to ensure that road segments designated as connecting links serve the appropriate purpose. Beyond the general definition of what constitutes a connecting link, the following criteria might be considered:

- 1) road rationalization score;
- 2) settlement designation (Primary, Secondary, Tertiary);
- 3) length of road section;
- 4) “Main Street” status;
- 5) County roads in Owen Sound; and
- 6) by-pass or alternative route within a reasonable distance.

It is not suggested that a weight or score be assigned to each criteria but rather that the criteria act as a checklist to ensure that due consideration and discussion occurs regarding the appropriateness of the connecting link designation with respect to the candidate road segment.

3.4 Discussion of Criteria

3.4.1 Criteria 1: Road Rationalization Score

The road rationalization score serves as an indicator of County interest in a road section. The higher the score, the more significant the road with respect to the role it plays as a County road. Conversely, if a road segment receives a low score then the County interest will also be lower.

Ideally, only road segments fitting the connecting link description (as per Section 3.2) and scoring 6 points or greater in the road rationalization process would be considered for the connecting link designation. These road sections would represent roads that pass through a built-up/urban area which also possess a higher degree of County interest. The exception to this rule would be those roads that scored less than 6 but were recommended for retention as County roads. Having noted this exception, it is further noted that none of the roads identified as such pass through a built-up/urban area and thus would not be considered for connecting link status (nonetheless, this exception had been identified to ensure full consideration of the County road network).

Roads that scored less than 6 points and that have subsequently been identified as candidates for local status should not be considered for connecting link status as the degree of County interest is not sufficient enough to warrant such designation.

3.4.2 Criteria 2: Settlement Designation

The settlement designations (as per the *Grey County Official Plan*) identify the urban centres, towns, villages and hamlets (ie. the built-up and urban areas) that currently exist within the County. Primary settlements are the areas with greater levels of development and are the primary targets for residential and non-residential growth. Secondary settlements have significant populations but lower growth targets than that of the primary settlements. Tertiary settlement areas are smaller hamlets with limited opportunities for growth due to various factors.

The *Grey County Official Plan* also identifies areas of recreational significance. These areas are designated as “Recreation Resort Areas” and “Escarpment Recreation Areas”. “Recreation Resort Areas” include existing major tourism attractions and are typically fully serviced, which allows these areas to accommodate future growth. “Escarpment Recreation Areas” have a lesser degree of existing recreational development than the resort areas and are not fully serviced.

With respect to the designation of connecting links, the type of settlement or recreational area provides an indicator of local interest in the road segment. For example, larger settlements (such as Hanover or Owen Sound) will generate higher volumes of local traffic than a secondary or tertiary settlement and thus the road segments within primary settlements will serve a higher proportion of local traffic vs County traffic. Furthermore, when considering the level of local development and the required access

to this development to ensure economic health, a primary settlement will have greater needs that equal, if not outweigh, the needs and objectives of the County (in terms of road function). In these instances, a connecting link agreement can aid in reconciling the competing needs.

For the purposes of establishing a connecting link program that meets the objectives stated in Section 3.1, it is recommended that only County road segments that pass through (or whose extension enters into) primary and secondary settlement areas **or major recreation resort areas** be considered for connecting link status. The local interests of primary and secondary settlement areas **(or a recreation resort area such as Blue Mountain)** in relation to County roads passing through them are considered significant enough to warrant connecting link consideration (ie. the local interest is more than simple access to and from the area). A tertiary settlement, although requiring the County road for access to the area, does not have the same need at the local level. Most traffic generated by a tertiary settlement will likely utilize the County road for purposes that coincide with County road objectives (ie. connectivity to other areas with greater development).

3.4.3 Criteria 3: Length of Road Section

The length of road section to be considered for connecting link designation should be of an appropriate minimum length (a maximum length is not considered necessary as such will be dictated by the built-up/urban area through which it passes). There are a number of Provincial highway connecting links through settlement areas in Grey County, the shortest of which run through Chatsworth and Flesherton. The connecting link segment through Chatsworth (Highway 6) is 0.6 km in length whereas the connecting link through Flesherton (Highway 10) is 0.5 km in length. Although a minimum length is not published in the MTO connecting link documents, an initial review of the existing Provincial highway connecting links indicate that no connecting link is less than 0.5 km in length.

It is recommended that Grey County not consider any section of road for connecting link status whose length is less than 0.5 km. Road segments shorter than this are not likely the primary means of access to surrounding development or are not serving an area of significant or meaningful development.

3.4.4 Criteria 4: “Main Street” Status

Where a County road passed through a built-up/urban area, the road segment considered for connecting link designation should currently serve as the “Main Street” for the area. The purpose of this criterion is to ensure that the connecting link designation is only applied where there is a noticeable difference or conflict between local priorities and those priorities of the County.

3.4.5 Criteria 5: County Roads in Owen Sound

It is recognized that Owen Sound, the only City within the County, will have some County roads travelling through it that are not considered a “Main Street” but do, nonetheless, serve the local area to a great extent. It is recommended that any County road travelling through, or extending into, Owen Sound be considered for connecting link status (notwithstanding those road segments which have been identified as candidates for transfer to the City as part of the rationalization process).

3.4.6 Criteria 6: By-pass/Alternate Route within a Reasonable Distance

As previously noted, one of the objectives of a connecting link is to provide a means of reconciling competing road priorities between the County and the local authority. There are instances (and there may be future instances) where the conflict between these priorities has been solved or mitigated through the construction of (or designation of) a by-pass or alternative route. The intent of a by-pass/alternative route is to separate through traffic (ie. County traffic) from local traffic and thus disentangle the competing priorities. It is recommended that the proximity of such facilities be considered when reviewing potential road segments with respect to connecting link status (not that the presence of such facilities would negate a road segment from being designated as a connecting link but rather to ensure that potential redundancy had been considered by the County).

3.5 Potential Connecting Link Candidates

Based on the connecting link definition and the noted criteria and in considering the recommendations of the road rationalization process with respect to the potential transfer of County roads to the local municipalities, the following road sections have been identified for consideration as connecting links:

- Grey Road 1 within Owen Sound;
- Grey Road 4 through Hanover;
- Grey Road 4 through Durham;
- Grey Road 4 through Flesherton;
- Grey Road 9 through Dundalk;
- Grey Road 10 through Neustadt;
- Grey Road 12 through Markdale;
- Grey Road 13 through Thornbury; and
- Grey Road 19 through Blue Mountain Village.

The noted connecting link candidates are illustrated in the attached maps. There are other road sections that could be considered as possible candidates for connecting link status; however, through the road rationalization process these roads have been identified as candidates for transfer to the local municipality which has otherwise precluded them from consideration as connecting links.

3.6 Designation

The responsibility for designating a road section with connecting link status should fall on the County (given that all connecting links will consist of existing County roads). It is suggested that County staff identify potential candidate road segments and then review each segment according to the noted connecting link criteria to determine if the connecting link designation is appropriate. If deemed appropriate, the County can then designate the County road segment as a connecting link and pursue a connecting link agreement with the respective municipality.

3.7 Connecting Link Agreement

After designation of a road segment as a connecting link, the municipality and the County may enter into an agreement which outlines the roles and responsibilities of each party with respect to

management of the connecting link going forward. The agreement would typically specify jurisdictional rights, cost sharing details (including eligible costs) and approval rights with respect to construction plans.

3.7.1 Jurisdiction

Under the connecting link agreement, the local authority would assume ownership of the connecting link and thus would have outright control over land-use plans, access control, speed limits, right of way widths, pedestrian facilities, etc. The municipality would have the ability to modify the road to suit local needs as long as such modifications do not negate or unreasonably restrict the needs and objectives of the County and its road network. All applicable by-laws, development standards, and guidelines of the municipality would govern.

3.7.2 Eligible Items

The connecting link agreement must clearly identify the items that are eligible for County support under the cost sharing agreement. It is not reasonable to assume that all costs should be eligible given that some costs will be related to improvements/construction that are solely local in nature (ie. the installation of sidewalks, sanitary sewers and even storm sewers in that County roads are typically rural in nature). It is recommended that the County and municipalities mutually agree on what will be considered an eligible cost. For clarity sake, it is recommended that maintenance costs and construction costs be listed separately. **Maintenance service and the associated costs should be based on the provincially prescribed level of service for routine maintenance rather than dictated by local need or desire.** It is noted that the standard County road cross-section reflects a 2-lane rural road with shoulders and open ditches, and if the development area did not exist, this level of standard would likely apply to the road section in question.

3.7.3 Cost Sharing

The agreement must clearly identify the cost sharing responsibilities for each party. The MTO connecting link cost sharing arrangement was based on the population of the city, town, village or township through which the Provincial highway passed, with larger areas (population wise) assuming a larger portion of the costs (ie. a separated city would be responsible for 25% of all eligible costs whereas a town with a population over 2,500 people would be responsible for 10%). A similar cost sharing arrangement could be established for Grey County whereby cost sharing is based on the settlement designation:

- Primary settlements – 25% local, 75% County;
- Secondary settlements – 10% local, 90% County; and
- Tertiary settlements – do not qualify for connecting link status.

Another option would be to include the road rationalization scores in the cost sharing scheme. An example of such is provided in Table 2. As noted, the share for which the County is responsible increases as the road rationalization scores increase, thus reflecting that the County's interest in the

road is higher. Similarly, the County's share is lower with the larger settlements, reflecting an increase in the local interest.

Table 2: Cost Sharing Scheme – by settlement designation & road rationalization score

Settlement Designation	Cost Sharing Responsibility (County % / Municipality %)			
	Rationalization Scores			
	<6	6 to 9.5	10 to 13.5	≥14
Primary Settlement	0/100	50/50	60/40	75/25
Secondary Settlement	0/100	70/30	80/20	90/10
Tertiary Settlement	0/100	100/0	100/0	100/0

With respect to shared costs, the County would share costs related to the construction or improvement of a connecting link where such improvements were dictated by, and directly related to, County traffic needs and not otherwise a requirement of local growth and development. Furthermore, the County would only be required to share the construction and improvement costs as they relate to the delivery of the connecting link to a cross section typical of a County road. Works beyond those required of a typical County road cross section would be completed at the discretion of the local municipality and any costs associated with said works would be their sole responsibility.

3.7.4 Approval Rights

It is important that the County, while relinquishing ownership of the segment of road designated as a connecting link, maintains approval oversight with respect to construction related plans involving the connecting link. The purpose of approval rights are twofold in that it allows the County to ensure that the overall objectives of the wider County road network continue to be met while also providing the County financial oversight over its share of the investment in the connecting link. County approval would typically be required for, but not limited to, the following items:

- design and functional plans;
- consultant selection (where a consultant is proposed);
- estimated cost-sharing breakdown for project;
- construction proposal; and
- award of contract.

In cases where the County is proposing the work, it is expected that the County would consult with the municipality and submit plans and cost estimates to the municipality for approval.

4.0 Financial Impacts

It is difficult to assess the financial impacts of a connecting link program in the absence of a detailed cost-sharing structure and an approved connecting link agreement identifying the eligible costs (both of which will directly dictate the impact to each party). Once these items are finalized by the County the financial impacts can be assessed for each municipality based on the respective candidate road section.

5.0 Implementation

The implementation of the connecting link program (once finalized) should be coordinated with the road rationalization process. Through coordinating the implementation of a connecting link program with the transfer of roads through the road rationalization process, the County can ensure that all transfers of ownership are managed in an equitable manner (to the extent that is deemed reasonable) thus limiting undue burden on the municipalities. While coordination is suggested, it is recognized that the connecting link program is an independent program that will continue to operate after the road rationalization process is completed.

Regardless of how the program is implemented, it is important that consultation with the municipalities be included in the process (significant consultation should be inherent leading up to the County and municipality entering into a connecting link agreement).

5.1 Initial Road Transfer Options

The following are potential options by which the initial transfer of ownership could be executed:

Option 1: Transfer the candidate road segments in their current state to the local authority upon designation of the segment as a connecting link with all future maintenance and construction costs being shared as per the terms of the connecting link agreement.

Option 2: Improve the road segment to address NOW needs (as per the RNS) prior to the connecting link agreement coming into effect, after which all future maintenance and construction costs will be shared as per the terms of the connecting link agreement.

Option 3: Improve the road segment to address all needs, despite time of need (as per the RNS) prior to the connecting link agreement coming into effect, after which all future maintenance and construction costs will be shared as per the terms of the connecting link agreement.

5.2 Recommended Transfer Approach

Option 2 (or some variation of Option 2) is the recommended approach for transfer of designated connecting link road sections from the County to the municipality. The connecting link agreements provide a method of sharing future construction and maintenance costs and therefore it is not considered reasonable to require that the County deliver additional concessions beyond the cost-sharing structure noted in the agreement. While NOW needs are considered in Option 2, improvements beyond that would be subject to the connecting link agreement.

ATTACHMENT A

MTO Connecting Link Documents

CONNECTING LINK AGREEMENT

TOWN, VILLAGE OR TOWNSHIP

THIS AGREEMENT made between:

HER MAJESTY THE QUEEN, in right of Ontario as represented
by the Minister of Transportation,

hereinafter called the "Minister";

- and -

CORPORATION OF THE _____ OF _____

hereinafter called the "Corporation";

WHEREAS section 21 of the Public Transportation and Highway Improvement Act, R.S.O. 1990, chapter P.50, as amended, hereinafter called the "Act", provides that the Minister and the council of a town, not being a separated town, or of a village or township may enter into an agreement for the construction and maintenance therein by the council or by the Minister, as the case may be, of a highway designated under section 21 of the Act as a connecting link between parts of the King's Highway or as an extension thereof, hereinafter called the "connecting link", and that a portion of the cost of the work may be paid out of the monies appropriated therefore by the Legislature in accordance with the Act;

AND WHEREAS a highway under the jurisdiction of the Corporation and hereinafter mentioned has been so designated.

NOW THEREFORE this Agreement witnesses that in consideration of the covenants and agreements to be kept and performed by each respectively, the Minister and the Corporation agree with each other as follows:

1. In the interpretation of this Agreement, unless otherwise provided or the context otherwise requires:
 - (a) Section 1 of The Public Transportation and Highway Improvement Act, R.S.O. 1990 applies;
 - (b) "maintenance" includes repair, zone painting (for the purpose of dividing the roadway into clearly marked lanes for traffic), clearing snow and applying chemicals and abrasives;
 - (c) "population" means the assessed population from time to time according to the last revised assessment roll of the municipality and the Municipal Directory issued by the Ministry of Municipal Affairs in any year shall be prima facie evidence of such population for that year;
 - (d) "return" means that part of the roadway forming a curved junction between a connecting link and any street intersecting or running into a connecting link to the full width of the highway comprising the connecting link.
2. The Minister or the Corporation, as the case may be, shall construct, when necessary, and maintain the highway described in the schedule hereto as a connecting link, in accordance with plans and specifications approved by the Minister and the Corporation.
- 3.1 The Minister or the Corporation may at any time, at or after the signing of this Agreement, submit to the other party hereto, through the District Engineer of the Ministry, a proposal and estimate of costs for the construction of the whole or any part of a highway, within the municipality, designated as a connecting link.
- 3.2 The party to whom the proposal is submitted shall, without undue delay, accept or reject such proposal or submit to the other party amended or alternative proposal as may seem appropriate.
- 3.3 Upon mutual acceptance and execution of any proposal the same shall become an appendix to and form part of this Agreement.
- 3.4 It is understood that the estimate of costs shall be deemed an estimate only, based on the information available at the time that the estimate is submitted, and is not be regarded as a stipulation that the actual cost may not vary from such estimate or that the payments to be made by the parties hereto are to be governed by such estimate.
- 3.5 A substantial increase in such cost shall not be undertaken or incurred without prior written approval by the Minister subject, where necessary, to the approval of the Ontario Municipal Board.
- 4.1 The Corporation shall bear and pay, the entire cost subject to subsidy where applicable, of constructing:
 - (a) any sanitary sewers;
 - (b) returns, beyond their junction with the highway comprising the connecting link, save and except such grading and surfacing as may be necessary to effect such junction;
 - (c) any sidewalks, save and except where removal and relocation of existing sidewalks is rendered necessary by the construction of the roadway; and
 - (d) any street lights, lighting standards or other special works.

- 4.2 Where it is deemed necessary to construct storm sewers, drains or any other special works on the connecting link of a nature or capacity beyond the actual requirements of the highway itself (including any designated interchanges), the Corporation shall bear such proportion of the cost of construction of such work as, in the opinion of the Minister, is not attributable to such requirements.
- 4.3 The Corporation shall, subject to subsidy where applicable, acquire all lands, pay all claims for lands taken or acquired, for property damage or injurious affection to land or property arising out of or in connection with the construction of the connecting link including the construction of bridges, culverts, pavements or other surfaces, curbs, gutters, catch basins, sanitary or storm sewers or drains or any other special work, indemnify and save harmless the Minister in respect of any such claims, including those resulting from any change of grade or alignment, and negotiate and complete settlement with owners affected.
- 5.1 For the purpose of determining the proportion of the cost of the work which will be paid by the Minister, and be in accordance with approved plans and specifications appropriate to the actual requirements of the highway, the cost thereof shall include the cost of:
- (a) widening, altering or diverting the highway;
 - (b) constructing roadways or additional widths of roadways necessary to permit the proper interchange of traffic at intersections of the connecting link with any other highway;
 - (c) subject to the Public Service Works on Highways Act, taking up, removing or changing the location of appliances or works placed on or under the highway by an operating corporation;
 - (d) constructing bridges, culverts or other structures, other than sanitary sewers, incidental to the construction of the highway;
 - (e) grading the highway, including shoulders and roadside ditches;
 - (f) constructing a base and pavement upon the highway and returns, of a type and extent approved by the Minister;
 - (g) constructing curbs, gutters and catch basins, and constructing sidewalks where removal and relocation of existing sidewalks is rendered necessary by the construction of the roadway;
 - (h) constructing storm sewers and drains of a nature and capacity appropriate to the actual requirements of the highway itself; and
 - (i) such other items of cost as the Minister may, from time to time, approve.

Provided, however, that for the purposes of this clause, the cost shall not include the cost of any of the items chargeable solely to the Corporation under Section 4. of this Agreement, and that in all cases, the decision of the Minister shall be final.

- 5.2 Save as otherwise provided in the Act or in this Agreement, the cost of the work carried out under this Agreement shall be apportioned and paid:
- (a) In the case of a municipality having a population of more than 2,500, ninety percent by the Minister and ten percent by the Corporation.
 - (b) In the case of a municipality having a population of not more than 2,500, one hundred percent by the Minister. Provided, however, and it is hereby agreed if at any time the population of the municipality is over 2,500, the provisions of 5.2 (a) shall apply on and after the 1st day of April next ensuing.

- 5.3 Contributions to otherwise properly chargeable road improvements shall not be included in the cost of the work unless such contributions are declared non-deductible on specific direction by the Minister.
- 5.4 The Corporation shall not include in any statement submitted to the Minister under Part IX/Part X of the Act any expenditures made by the Corporation under this agreement.
6. Where the construction of the connecting link is to be undertaken by the Corporation:
- The Corporation will prepare plans and specifications therefor and such plans and specifications shall be subject to approval by the Minister before any work is undertaken or tenders are called for the performance thereof, and
 - Where the work is to be done by contract, the Corporation shall call for public tenders and, where pre-qualification of the contractor is not required, will require the posting of an adequate performance bond, and the award of the contract shall be subject to approval by the Minister.
- 7.1 Upon completion of the construction of the connecting link by the Corporation, the Corporation will submit to the Minister, a statement of expenditure with respect to the same for payment of the Minister's share.
- 7.2 Subject to approval by the Minister, the Corporation may submit interim statements of expenditure, from time to time, during the progress of the work for payment of the Minister's share of the cost of the work done under this Agreement.
- 7.3 Statements of expenditure shall be submitted through the District Engineer of the Ministry accompanied by such statements of accounts, payment certificates, paylists, vouchers and other documents, certified by the Engineer and Treasurer of the Corporation, in such reasonable form as the Financial Comptroller of the Ministry may require.
- 8.1 Upon receipt of a statement of expenditure and the approval thereof by an officer of the Ministry designated by the Minister, the Minister will pay to the Treasurer of the Corporation the Minister's share.
- 8.2 No payment will be made in respect to any item of cost that:
- is not a road improvement in the opinion of the Minister;
 - is not supported by vouchers and other documents in such form and detail as the Minister may require;
 - is not incurred in respect of work certified by the District Engineer of the Ministry as having been satisfactorily performed.
- 8.3 In the case of an interim statement of expenditure, the Minister may hold back an amount, not exceeding fifteen percent of the amount payable, in respect of each and every item of cost for which payment is claimed, until the construction of the connecting link is satisfactorily completed.

9.1 The Corporation shall keep a separate account of all expenditures related to the cost of the construction of the connecting link incurred by it, together with all documents and vouchers relating thereto, all engineering records relating to such construction and make such account, documents, vouchers and engineering records available to the Minister for examination and audit, and give the Minister's representatives all reasonable assistance with such examination and audit.

9.2 The Corporation shall keep such account, documents, vouchers, and engineering records intact for a period of five years from the end of the calendar year in which the construction of the connecting link was completed.

10. Where the construction of the connecting link is to be undertaken by the Minister:

- (a) the Minister will prepare plans and specifications therefor and such plans and specifications shall be subject to approval by the Corporation before any work is undertaken or tenders called for the performance thereof;
- (b) where the work is to be done by contract, the Minister will call for public tenders and, where pre-qualification of the contractor is not required, will require the posting of an adequate performance bond; and
- (c) at the request or with the consent of the Corporation, the Minister may include the construction of the connecting link as part of a contract for the performance of work on the King's Highway or on a Secondary Highway, or may let the same as a separate contract without further approval by the Corporation of the award of the contract.

11.1 Subject to the provisions of Part IX/Part X of the Act, the Corporation will bear and pay the entire cost of:

- (a) maintenance of all sanitary and storm sewers, curbs, gutters, and catchbasins, shoulders, roadside ditches, sidewalks and returns;
- (b) street cleaning, except for first annual spring clean-up to be shared fifty percent by the Corporation and fifty percent by the Minister; and
- (c) the cutting of grass and the extermination of weeds at the roadside.

11.2 The cost of carrying away any snow or other matter deposited on or adjacent to the roadside by the operation of snow ploughs upon the roadway will be shareable under this Agreement at fifty percent.

12.1 Where expenditures are made by the Minister which are chargeable in whole or in part to the Corporation under this Agreement, the Minister will:

- (a) in respect of the construction of the connecting link, on completion of such construction; and
- (b) in respect of the maintenance of the connecting link, from time to time;

submit to the Corporation, a statement of such expenditures, in such reasonable form and detail as the Corporation may require, and a statement of the amount of the Corporation's share under this Agreement of such expenditures.

- 12.2 Upon receipt of such statement, the Corporation will pay forthwith the amount of its share of such expenditures to the Minister.
13. It is understood and agreed that if the Corporation desires to do any special work on the connecting link, the Corporation shall notify the Minister, in writing, setting forth the proposed work to be undertaken and the approximate cost, to the Minister. The consent, in writing, of the Minister to such undertaking by the Corporation must be obtained before the work is commenced.
14. If the Minister pays to the Corporation an amount that exceeds the amount payable under this Agreement, the Corporation shall refund the excess, and if the Corporation fails to do so, or fails to pay the full amount of its share, under this Agreement, of the cost of any work performed by the Minister, the Minister may, in addition to any other recourse, recover any such amount from amounts payable to the Corporation by the Province of Ontario on any account.
15. This Agreement shall not be construed as vesting in the Minister any proprietary interest in the street or streets comprising the connecting link, and, save as herein otherwise provided, the Corporation shall indemnify and save harmless the Minister from and against all claims of any nature whatsoever arising from or out of or in connection with the construction or maintenance of the connecting link under this Agreement.
16. The Corporation hereby agrees to enact such by-laws as the Minister may deem necessary or appropriate to the safety and convenient passage of vehicular traffic upon the connecting link.
17. If this Agreement is approved or executed by either party before the effective date of the Order-in-Council designating the highway as a connecting link, such approval or execution shall be deemed to be preparatory and shall not come into effect until the effective date of such Order-in-Council; provided, however, that any work performed or payment made before that date but in accordance with the terms and true intent of this Agreement may, with the approval of the Minister, be treated as if such work had been performed or payment made after such date.
18. If the Act is repealed in whole or in part and other provisions are substituted by way of re-enactment, amendment, revision or consolidation, any reference in this Agreement to any repealed provisions shall, as regards any subsequent transaction, matter or thing hereunder be construed as a reference to the provision so substituted.
19. In the event of the municipality being erected as a City or separating from the County for municipal purposes, the provisions of subsection 4 and clause (c) of subsection 6 of Section 21 of the Act shall apply and this Agreement shall be deemed to be amended accordingly. Provided, however, and it is hereby agreed, that, at the option of the Minister, the parties hereto will enter into a new agreement in accordance with such provision and in terms acceptable to the Minister.

20. This Agreement may be terminated by either party giving notice of termination, by registered mail, to the other party and such termination shall take effect sixty days after the date of mailing of such notice; provided that upon the assumption of the whole or any part of the connecting link by the Minister as part of the King's Highway or a Secondary Highway, or upon the revocation of the Order-In-Council designating such highway, or any part thereof, as a connecting link, this Agreement shall cease to apply to such highway or to such part thereof, but, in the event of this Agreement being so terminated or ceasing to apply to the whole or any part of the connecting link any expenditures made or undertaken by either party pursuant to this Agreement in respect of the connecting link or such part thereof, prior to the date of such event, shall be apportioned and paid by the respective parties in accordance with the terms of this Agreement.

This Agreement shall take effect on the day it is signed by the Assistant Deputy Minister (Planning Division) of the Ministry of Transportation.

IN WITNESS WHEREOF the Minister and the Corporation have caused this Agreement to be executed by their duly authorized officials.

SIGNED AT NORTH YORK THIS _____ DAY OF _____ 19____.

HER MAJESTY THE QUEEN in right of
Ontario as represented by the
Minister of Transportation

Per: _____ (SEAL)
Assistant Deputy Minister
Planning Division

CORPORATION OF THE _____ OF _____

Per: _____
Mayor/Reeve

Per: _____ (SEAL)
Clerk

AUTHORIZED BY BY-LAW _____ DATED _____ 19____.

BYLAW NO. _____

OF THE CORPORATION OF THE _____ OF _____

A BYLAW TO AUTHORIZE THE EXECUTION BY OFFICERS OF THE CORPORATION OF THE _____ OF AN AGREEMENT WITH HER MAJESTY THE QUEEN IN THE RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF TRANSPORTATION FOR ONTARIO, PURSUANT TO SECTION 21 OF THE PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT ACT, R.S.O. 1990, CHAPTER P.50.

WHEREAS it is deemed expedient that the Corporation of the _____ of _____ enter into a Connecting Link Agreement with the Queen in the Right of Ontario as represented by the Minister of Transportation for Ontario for construction and maintenance of certain roads.

NOW THEREFORE, the Corporation of the _____ of _____ enacts as follows:

That the Corporation of the _____ of _____ enter into a Connecting Link Agreement with Her Majesty the Queen in the Right of Ontario as represented by the Minister of Transportation for Ontario, and the Mayor/Reeve and Clerk are hereby authorized to sign the said Agreement on behalf of the Corporation.

This Bylaw shall come into force and take effect after the passing thereof.

Bylaw read a first, second and third time and passed at a meeting of the Municipal Council on the _____ of _____ 19 ____.

Mayor/Reeve

Clerk

I HEREBY CERTIFY that the foregoing is a true and correct copy of Bylaw No. _____ "A Bylaw to authorize the execution by officers of the Corporation of the _____ of _____ of an Agreement with Her Majesty the Queen in the Right of Ontario as represented by the Minister of Transportation for Ontario, pursuant to the Public Transportation and Highway Improvement Act "R.S.O. 1990, chapter P.50," which was finally passed at a meeting of Council held on _____

Clerk